

AN ACT

relating to the management of groundwater production by groundwater conservation districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subdivision (25), Section 36.001, Water Code, is amended to read as follows:

(25) "Modeled [~~Managed~~] available groundwater" means the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a [~~permitted by a district for beneficial use in accordance with the~~] desired future condition established [~~of the aquifer as determined~~] under Section 36.108.

SECTION 2. Subsection (e), Section 36.1071, Water Code, is amended to read as follows:

(e) In the management plan described under Subsection (a), the district shall:

(1) identify the performance standards and management objectives under which the district will operate to achieve the management goals identified under Subsection (a);

(2) specify, in as much detail as possible, the actions, procedures, performance, and avoidance that are or may be necessary to effect the plan, including specifications and proposed rules;

(3) include estimates of the following:

(A) modeled [~~managed~~] available groundwater in the district based on the desired future condition established under Section 36.108;

(B) the amount of groundwater being used within the district on an annual basis;

(C) the annual amount of recharge from precipitation, if any, to the groundwater resources within the district;

(D) for each aquifer, the annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams, and rivers;

(E) the annual volume of flow into and out of the district within each aquifer and between aquifers in the district, if a groundwater availability model is available;

(F) the projected surface water supply in the district according to the most recently adopted state water plan; and

(G) the projected total demand for water in the district according to the most recently adopted state water plan; and

(4) consider the water supply needs and water management strategies included in the adopted state water plan.

SECTION 3. Subsection (o), Section 36.108, Water Code, is amended to read as follows:

(o) The districts shall submit the conditions established under this section to the executive administrator. The executive administrator shall provide each district and regional water

1 planning group located wholly or partly in the management area with  
2 the modeled [~~managed~~] available groundwater in the management area  
3 based upon the desired future condition of the groundwater  
4 resources established under this section.

5 SECTION 4. Section 36.1132, Water Code, is amended to read  
6 as follows:

7 Sec. 36.1132. PERMITS BASED ON MODELED [~~MANAGED~~] AVAILABLE  
8 GROUNDWATER. (a) A district, to the extent possible, shall issue  
9 permits up to the point that the total volume of exempt and  
10 permitted groundwater production will achieve an applicable  
11 desired future condition under Section 36.108 [~~permitted equals the~~  
12 ~~managed available groundwater, if administratively complete permit~~  
13 ~~applications are submitted to the district~~].

14 (b) In issuing permits, the district shall manage total  
15 groundwater production on a long-term basis to achieve an  
16 applicable desired future condition and consider:

17 (1) the modeled available groundwater determined by  
18 the executive administrator;

19 (2) the executive administrator's estimate of the  
20 current and projected amount of groundwater produced under  
21 exemptions granted by district rules and Section 36.117;

22 (3) the amount of groundwater authorized under permits  
23 previously issued by the district;

24 (4) a reasonable estimate of the amount of groundwater  
25 that is actually produced under permits issued by the district; and

26 (5) yearly precipitation and production patterns.

27 (c) In developing the estimate of exempt use under

S.B. No. 737

1 Subsection (b)(2), the executive administrator shall solicit  
2 information from each applicable district.

3 SECTION 5. This Act takes effect September 1, 2011.\_\_\_\_\_

David Dewhurst

President of the Senate

Joe Straus

Speaker of the House

I hereby certify that S.B. No. 737 passed the Senate on  
March 30, 2011, by the following vote: Yeas 31, Nays 0.\_\_\_\_\_

Patsy Spaw

Secretary of the Senate

I hereby certify that S.B. No. 737 passed the House on  
April 14, 2011, by the following vote: Yeas 142, Nays 2, one  
present not voting.\_\_\_\_\_

Robert Honey

Chief Clerk of the House

Approved:

29 APR '11

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:00 pm O'CLOCK

APR 29 2011

Don Radtke

Secretary of State